



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : Confirmation No. 9098
Hiroaki MASUYAMA : Attorney Docket No. 2006_0607A
Serial No. 10/577,038 : Group Art Unit No. 3693
Filed April 24, 2006 : Examiner Edward J. Baird

ENTERPRISE EVALUATION DEVICE
AND ENTERPRISE EVALUATION
PROGRAM : Mail Stop Amendment

RESPONSE TO RESTRICTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

THE COMMISSIONER IS AUTHORIZED
TO CHARGE ANY DEFICIENCY IN THE
FEES FOR THIS PAPER TO DEPOSIT
ACCOUNT NO. 23-0975

Sir:

Pursuant to the restriction set forth in the Office Action mailed April 2, 2008, the period for response having been extended for 2 months, the Applicant hereby elects invention I, claims 1, 2 and 4, with traverse.

The present application is a national stage application under 35 U.S.C. § 371. Unity of invention, not restriction practice pursuant to 37 CFR 1.141 - 1.146, is applicable in international applications (both Chapter I and II) and in national stage applications under 35 U.S.C. § 371 (see MPEP § 1893.03(d) and corresponding PCT Rule 13.1). Thus, the present application is subject to unity of invention requirements, not restriction practice pursuant to 37 CFR 1.141 - 1.146.

When making a lack of unity of invention requirement, Examiners **MUST** (1) list the different groups of claims and (2) explain why each group lacks unity with each other group (i.e., why there is no single general inventive concept) specifically describing the unique special technical feature in each group (see MPEP § 1893.03(d)).